

***2.11 FIRE STATION #8 (NORTH FREMONT) PLANS**

Published Hearing (Published Notice) to Consider a Planned District Major Amendment for a Proposed Fire Station for a .913 Acre Parcel Located at 35659 Fremont Boulevard (PLN2004-00049) in the Centerville Planning Area. A Mitigated Negative Declaration has Been Previously Prepared and Adopted for This Project

Contact Person:

Name: Barbara Meerjans

Title: Associate Planner

Dept.: Planning

Phone: 510-494-4451

E-Mail: bmeerjans@ci.fremont.ca.us

Jake Lavin

Fire Bond Project Manager

Engineering

510-494-4428

jlavin@ci.fremont.ca.us

Executive Summary: The Fire Safety Bond measure (Measure R) passed in November 2002 by a 74% vote and provides funding for fire station rehabilitation and new construction, including the land acquisition and development of a new Fire Station #8 (North Fremont). This report recommends approval of the Planned District Major Amendment for the new fire station and appropriation of funding for the project. The Planning Commission recommended the Planned District Major Amendment by a 7-0 vote.

BACKGROUND: Existing Fire Station #8 is located at 3723 Darwin Drive. It is a small house totaling 2050 square feet. The City converted it to a temporary station in 1971. There is room for one engine and no other active or reserve apparatus. The station is seismically unsound in that it does not meet the standard of an essential services facility, defined as a building that functions during and after a major earthquake.

The Fire Safety Bond measure included the replacement of Fire Station #8. The measure authorized the issuance of \$51 million in general obligation bonds to replace Fire Station #8, Fire Station #2 (Niles), and Fire Station #6 (Centerville) with new modern stations, build a public safety training center, and make remodeling and seismic improvements to seven existing fire stations.

On October 7, 2003, the City adopted a resolution authority legal proceedings to acquire the future Fire Station #8 site, an approximate 1-acre vacant lot across from the Brookvale shopping center. The City ultimately reached a settlement with the owner and closed on the acquisition of the property in January 2004. In February 2004, the City Council approved the award of a design contract to WLC Architects to design the station.

Staff and the architects have led an inclusive design process with neighbors and other community members interested in the project. Staff and the architects hosted three community workshops at which participants discussed traffic issues, site plan features and architectural treatment. Staff believes it has answered or incorporated community comments to the most reasonable extent possible, and has enclosed a memo describing all community comments and the corresponding response of staff and the design team.

On September 23, 2004, the Planning Commission considered the planning approval necessary for the project. By a vote of 7-0, the Commission recommended adoption of the Planned District Major Amendment with additional conditions identified and discussed below.

PROJECT ANALYSIS:

Project Description: City staff is requesting that the City Council approve a Planned District Major Amendment for the site at 35659 Fremont Boulevard to allow the development of a new fire station as described below and in the enclosed plans. The proposed site is approximately one acre with existing residential on the north, south, and west sides of the site and the Brookvale shopping center across Fremont Boulevard from the site.

The proposed new Fire Station #8 is approximately 10,144 square feet with three apparatus bays. It will house one engine company (three personnel), with room for expansion, as well as reserve apparatus within the three bays. The structure is a combination of one and two story areas and includes a kitchen, dining room, day room, exercise room, bedrooms, office area, turnout (protective clothing) room, project and supplies work area and storage, restrooms, public area, and other accessory features. The site design includes an open security fence and gate at the front of the property, as well as a masonry wall around the remainder of the site. Other site features include public and employee parking, an emergency generator and fuel tank, an outdoor patio area, and landscaping in both public and secured areas.

General Plan and Zoning Conformance: The project site land use designation is Medium Density Residential, 11-15 Units per Acre. The General Plan allows public facilities to be located in residentially designated areas, although conditions may be established to limit the impacts of these uses on residents. The site would provide fire protection for the northern area of the City of Fremont and response elsewhere in the City of Fremont by providing improved fire response facilities. The project site is located on an arterial street. The new fire station location is expected to support the Fire Department goal of responding to emergency calls within 5.5 minutes on 95% of the calls. The existing location of Fire Station #8 is in a converted residence and was meant to be a “temporary” location. The Fire Department has developed a computer model of incidents and coverage of the City. The project site was chosen in the context of all districts and the number of calls received by all stations. The proposed fire station is consistent with the following objective, policy, and implementation measures of the General Plan:

Goal F-10: PUBLIC SERVICES RESPONSIBLY MANAGED AND EQUITABLY DISTRIBUTED THROUGHOUT THE CITY.

Public services must continue to be equitably distributed throughout the city. To the maximum degree feasible, all areas should be equally served by parks, fire stations, libraries, and other public facilities and services.

Health and Safety Goals and Policies:

- Objective HS 4.1:** Development locations and standards which limit the potential health and safety risks, and the risks of severe economic loss due to fire hazards.
- Policy HS 4.1.1:** Provide an adequate level of fire equipment and personnel to protect the community.
- Implementation 1:** Continue to implement plan for improving fire service through expansion to 11 stations, movement of stations and other improvements.
- Objective HS 5.1:** Maximum feasible achievement of a five minute 30 second response time for areas where response time is identified as achievable.
- Policy HS 5.1.2:** Consider improvements in services and facilities to provide maximum feasible achievement of a five minute 30 second response within the City.

The property is zoned Planned District. A residential townhouse development previously was approved for the site. The proposed public facilities use is typically subject to a Conditional Use Permit, but is being processed as a Planned District Major Amendment because of the existing zoning. The proposed site design and setbacks are appropriate for the neighborhood and the function of the fire station.

Architecture: The proposed fire station is a combination of one and two story areas with a maximum height of twenty-nine feet. The station design includes a three bay apparatus room, public lobby, internal staff work areas and living quarters. The proposed exterior finishes are a combination of dark red split face concrete masonry units (CMU) with light gray smooth precision concrete block accent banding and stucco in two shades of light warm gray. The windows are gray tinted glass with aluminum frames. The roof material is lightweight concrete tile that is a dark gray variegated color. A deep red is used as an accent color for the main doors, fascia and trim. Other accent elements are the use of glass block near the front public entry and on the tower. The tower is the pole enclosure and could be a more prominent element in the façade. Staff recommends the tower be increased in height by two to three feet to make it more distinct from the surrounding roof. The design also includes metal brackets on the north and east elevations. The proposed fire station is subject to the requirements of the City of Fremont Public Art program for new construction. The Art Review Board and staff have recently started the process to select art for the fire station.

Landscaping: The site will have a variety of plant materials including the required street trees and site trees. A revised landscape plan was presented to the Planning Commission that responded to staff's comments. However, the trash enclosure and the exact placement of trees along that row of parking spaces will be adjusted during Development Organization review per condition D-4. Additionally, the Planning Commission commented on the landscape plan, as described below, and added an additional condition requiring more flowering vegetation and variety in scale of the plants.

The site contains one mature tree, a Deodar Cedar with a diameter breast height of 30". This tree is designated for removal as a result of unavoidable conflicts with the proposed development. The tree is also in poor condition and may have difficulty surviving development impacts. The mitigation for the removal of this tree shall be a 36" box large canopy tree. This is consistent with the provisions of the Tree Preservation Ordinance. Mitigation is also required for the illegal removal of 18 trees by the previous property owner. This mitigation shall be (12) 36" box large canopy trees.

Parking and Circulation Analysis: The Zoning Ordinance does not specifically address parking requirements for fire stations. The proposed site plan provides four parking spaces, including one handicapped accessible space, near the front entrance and available to the public. It provides twelve parking spaces for employees to park within the secured side and rear of the fire station. Staff believes the number of spaces will meet the current needs of the Fire Department based on the three person staff of the engine company, possible training functions, and limited public activities, and it will provide flexibility to meet future needs.

Two new driveways on Fremont Boulevard provide access to the project site. The southerly driveway is fifty-five feet wide and used for emergency vehicles leaving the fire station during response calls. The northerly driveway is twenty-eight feet wide and will provide for employee and visitor vehicular ingress and egress. The northerly driveway will also provide ingress for emergency vehicles returning to the fire station.

On-site circulation is divided into two areas. The smaller area provides unrestricted access to the parking stalls available for visitors to the fire station. In the larger area, a security gate and fencing restricts access. Emergency vehicles and employee vehicles will proceed through the security gate in order to access the emergency vehicle bays (inside the building) and to access the employee parking. Sidewalks connect the parking areas and public right-of-way to the fire station lobby.

In order to provide for ingress and egress of emergency vehicles, the project will modify the existing landscaped median in Fremont Boulevard to remove approximately 60 linear feet in front of the southerly driveway. Additional modifications to Fremont Boulevard will include installation of signs and pavement markers to provide notification to approaching vehicles that a fire station is ahead. Also, the project is proposing the installation of a public sidewalk along the street frontage. Street improvement plans shall be submitted for review and approval by the City Engineer during Development Organization review.

Traffic preemption: As part of the project, the City will install Emergency Vehicle Preemption (EVP) technology at the intersections of Nicolet Avenue and Tamayo Street. This technology will pick up signal emitters from devices on the fire apparatus and possibly from the new fire station itself and preempt the traffic lights as follows. At Nicolet, which is south of the new fire station, the lights will go green in the southbound direction, red in the northbound direction, and red at both approaches to Fremont Blvd. At Tamayo, north of the fire station, the lights will go green in the northbound direction, red in the southbound direction, and red at both approaches to Fremont Blvd. The Fire Department will be able to trigger the EVP technology in advance of leaving the fire station so that traffic will generally clear out in front of the station, and the fire apparatus can exit more safely. In addition, fire apparatus from other stations can trigger the emergency vehicle preemption function if they are en route to an emergency call through the area.

Urban Runoff Clean Water Program: The Federal Clean Water Act of 1972 and Water Quality Act (1987) require localities throughout the nation to obtain a National Pollutant Discharge Elimination System permit (NPDES) in order to discharge storm water into public waterways such as creeks, rivers, channels and bays. The applicant will comply with the City's Urban Runoff Clean Water Program in accordance with the NPDES requirements issued by the State's Water Quality Control Board.

Geologic Hazards: The project site is identified as an area of potential liquefaction by the State Geologist on the Seismic Hazard Zones, Newark Quadrangle Official Map dated July 2, 2003. A geotechnical report defining and delineating any seismic hazard has been completed by the project geologist, reviewed and approved by the City's geotechnical peer review consultant, and filed with the State Geologist. The geotechnical recommendations in the approved report will be incorporated into the project design and construction.

Waste Management: This project involves Fire Station/Institutional construction and shall be subject to the provisions of the California Integrated Waste Management Act of 1989 (AB939). The Act requires that 50% of the waste generated in the City of Fremont be diverted from landfill sites by the year 2000. Additionally, the project is subject to the City's Source Reduction and Recycling Element (1992), an Integrated Waste Management Ordinance (1995), and a Commercial/Industrial Recycling Plan (1997). These documents require that any new project for which a building permit application is submitted include adequate, accessible, and convenient areas for collecting and loading trash and recyclable materials. Any trash/recycling enclosure for the project shall be designed in a manner to be architecturally compatible with nearby structures and with the existing topography and vegetation in accordance with such standards.

Response from Agencies and Organizations: No outside response or comment had been received at the time of publication of this report.

Community Meeting Comments: During the design process, staff and the architects held community meetings on March 24, April 21 and September 13, 2004. The attendees were primarily adjoining neighbors to the project. Concerns were expressed regarding the site plan, lights, noise, traffic issues on Fremont Boulevard and the architecture of the station. The enclosed memo (dated September 15, 2004) describes the issues and staff responses.

Planning Commission Action: The Planning Commission voted 7-0 to recommend to City Council the Planned District Major Amendment. The Commission discussed energy efficient and sustainable buildings and the process of Leadership in Energy and Environment Design (LEED) certification. The discussion also addressed the proposed architecture and site design as described in the enclosed draft minutes. The recommendations have also been included as additional conditions of approval (in **bold** type in Exhibit "C") and are summarized as follows:

- The building shall be LEED certifiable, but not actually required to obtain certification.
- The window glass in the front and north elevation visible to the public shall be less tinted.
- The perimeter wall, proposed to be constructed with precast panels and pilasters, shall be increased from 6' to 8' using a decorative material that will support vines growing along the top.
- The required public art component should be integrated into the design, possibly on the tower element, rather than a separate feature that would sit in front of the building.
- A more creative landscape palette with more flowering vegetation and variety in the scale of the plants shall be developed.

Discussion of Planning Commission's Recommendations: The Planning Commission's recommended conditions of approval have a negligible impact on total project cost and staff supports the Commission's recommendation. The design team has designed the building to be LEED certifiable and agrees that the cost to formally obtain certification (estimated to be \$50,000 in consultant costs, additional staff coordination, and an unknown impact on the project schedule) is too expensive to justify. With regard to the height of the perimeter wall, staff recommends a modification to the condition of approval to give staff the discretion to work directly with the adjacent property owners on the ultimate height of the wall to avoid unwanted shadow. The townhomes to the north of the project have small 20' backyard areas directly adjacent to the proposed wall and the single family home is located 5' away from the proposed wall. Under no circumstance would the perimeter wall be less than 6' or more than 8'.

Environmental Analysis: A Mitigated Negative Declaration was previously prepared and adopted for this project by City Council on October 7, 2003.

Project Budget and Funding: The total project budget for the new fire station is \$7,842,000, and is based on a construction cost estimate prepared for the enclosed plans, design and construction management fees previously approved by City Council and appropriate budgets for staff costs and other soft costs of the project. The construction cost estimate reflects current market conditions with sufficient contingency for foreseeable refinements to the design and construction change orders. The budget also reflects approximately \$50,000 that was spent on investigating Fire Station #8 replacement options prior to the Fire Bond measure. Based on financial records through August 2004, the City has spent \$1,866,000 on the project, including the costs incurred prior to the Fire Bond measure, with the bulk of these costs attributable to property acquisition. The table below summarizes this information.

Land Acquisition	% Const.	Project Budget	Spent to-date
Land purchase		\$1,605,221	\$1,605,221
Environmental due diligence		\$1,104	\$1,104
Real property appraisal work		\$6,725	\$6,725
Attorney costs		\$7,122	\$7,122
Fence / weed abatement		\$2,000	\$939
Subtotal		\$1,622,172	\$1,621,111
Soft Costs (Design and Entitlements)			
Design / consultant fee	10%	\$440,340	\$73,540
Construction management	5%	\$208,000	\$711
Permits	2%	\$86,000	\$0
Fees / Miscellaneous	4%	\$173,057	\$17,011
Special inspection	1%	\$43,000	\$0
Art	1%	\$43,000	\$0
Staff costs	8%	\$365,182	\$138,919
Subtotal		\$1,358,579	\$230,181

Construction Costs			
Construction contract		\$3,047,000	\$0
Breakaway exhaust system		\$60,000	\$9,681
Street, median, and utility undergrounding		\$315,000	\$0
Traffic preemption		\$81,000	\$0
Locution (dispatch technology)		\$5,240	\$5,240
Owner-furnished fixtures & equipment		\$75,000	\$0
Design / market contingency	12%	\$538,000	\$0
Escalation	7%	\$298,000	\$0
Subtotal		\$4,419,240	\$14,921
<i>Construction contingency</i>	<i>10%</i>	<i>\$442,000</i>	<i>\$0</i>
TOTAL (Rounded)		\$7,842,000	\$1,866,000

There are two funding sources for the project: Fire Safety Bonds and Fire Impact fees. The Bond measure programmed approximately \$6.1 million for Fire Station #8 land acquisition and development and another \$4.5 million in overall contingency for the Fire Bond implementation. The City also collects Fire Impact fees through the Development Organization and has programmed \$917,919 for Fire Station #8 land acquisition and development.

Based on the project budget and funding sources, staff recommends appropriating \$6,325,081 of current and anticipated future Fire Bond proceeds and \$442,919 in current and anticipated Fire Impact fees to the Fire Station #8 PWC 7838 to implement the project. The City Council has provided spending authorization to-date through its appropriation of \$20,400,000 in the 2003/04 and 2004/05 Capital Improvement Program for general Fire Bond implementation and through appropriations to the Fire Station #8 account totaling \$599,000 in Fire Bond proceeds and \$475,000 in Fire Impact fees. Staff will recommend any modifications to the appropriation amount when it returns to the City Council for the award of a construction contract for the work, which should occur in the summer of 2005. The table below summarizes the project funding and appropriation amounts for Fire Station #8:

Existing Appropriations	Year	Amount
Fire Impact Fees	1989/90	\$155,000
Fire Impact Fees	2003/04	\$160,000
Fire Impact Fees	2004/05	\$160,000
Fire Bond proceeds	2003/04	<u>\$599,000</u>
<i>Subtotal</i>		<i>\$1,074,000</i>
Recommended Additional Appropriations		
Fire Impact Fees	2004/05	\$442,919
Fire Bond proceeds	2004/05	\$6,325,081
<i>Subtotal</i>		<i>\$6,768,000</i>
Total Project Appropriation		\$7,842,000

NEXT STEPS: If the City Council approves the plans for the station and the requested spending authorization, staff will proceed with the development of the construction documentation for the project. In this phase, the architect will develop detailed designs and specifications. At various points, the design team will evaluate the project based on the estimated budget, and make mid-course corrections if necessary. The Fire Bond's construction manager, Harris & Associates, will also review the plans and make suggestions to improve constructability and lower construction costs. These activities, along with the necessary building entitlements, will take several months to complete. The project should go out to bid around May of next year, and construction should begin by the end of summer 2005. Construction itself should take one year to complete and be done by the fall of 2006.

ENCLOSURES:

- Exhibit "A" Planned District Amendment
- Exhibit "B" Site Plan, Floor Plans, Elevations, Civil, and Landscape Plans
- Exhibit "C" Findings and Conditions of Approval
- City of Fremont Memo dated September 15, 2004 responding to community concerns
- Architect statement
- Report and draft minutes from September 23, 2003 Regular Planning Commission Meeting

EXHIBITS:

- Exhibit "A" Planned District Amendment
- Exhibit "B" Site Plan, Floor Plans, Elevations, Civil, and Landscape Plans
- Exhibit "C" Findings and Conditions of Approval
- Exhibit "D" Color and Material Sample Board

RECOMMENDATION:

1. Hold public hearing.
2. Modify Condition D-8 of the conditions of approval set forth in Exhibit "C" to provide staff the discretion to work with adjacent property owners to determine the height of the perimeter wall within the range of 6' and 8'.
3. Find that the Mitigated Negative Declaration previously adopted on October 3, 2003 addressed and mitigated the environmental impacts of this planned district amendment.
4. Find that PLN2004-00049 is in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals and policies set forth in the General Plan's Fundamental Goals and Health and Safety Chapters, as set forth in Exhibit "C", hereby adopted by reference.
5. Find PLN2004-00049, as per Exhibit "B" (site plan, floor plans, elevations and civil, and landscape plans), fulfills the applicable requirements set forth in the Fremont Municipal Code.
6. Approve PLN2004-00049 and waive full reading and introduce an ordinance to rezone property as set forth in Exhibit "A" (Planned District Major Amendment), Exhibit "B" (site plan, floor plans, elevations and civil, and landscape plans), and Exhibit "D" (material color and sample board) for PLN2004-00049, based upon the findings and subject to the conditions of approval set forth in Exhibit "C".
7. Appropriate \$6,325,081 of current and anticipated future Fire Safety Bond proceeds from the Fire Safety Bond revenue fund (208) to Fire Station #8 Account No. 208.PWC.7838.6106.
8. Appropriate \$442,919 of current and anticipated future Fire Impact Fees to Fire Station #8 Account No. 193.PWC.7838.6106.

